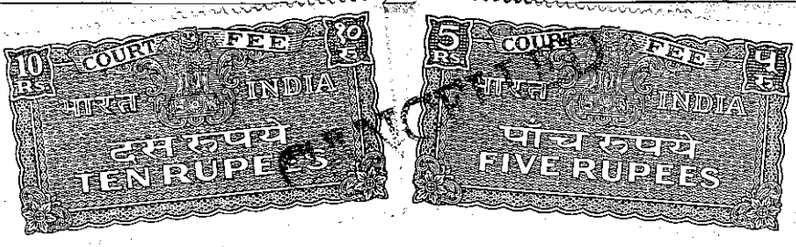

(3)

CHIST

IN THE HIGH COURT OF JUDICATURE AT BILASPUR (C.G.)

Misc.Appeal No. 02 Of 2003

(Memorandum of Misc.Appeal U/s 173 of M.V.Act 1988)

APPELLANT / APPLICANT : Shridhar Lal Nebhani son of Shri Gangaram Nebhani, aged 58 years, occupation Kirana Vyavsai, resident of Shyam Nagar Gurudwara Ke Samne Raipur, Tehsil and District Raipur.

Versus

RESPONDENTS / NON-APPLICANTS : 1. Sewa Ram Sahu son of Sukh Lal Sahu, @ Lal, aged 21 years, occupation Auto driver, resident of Lalpur, Raipur, Tehsil and District Raipur (CG) Owner of Vehicle No. MP 23/DA/3140 Auto Trailer .

P.R. No. 2759/02
Presented by Shri S.R.Jaiswal
dated 16.12.02

2. The Oriental Insurance Company Limited, Branch Office, Mahavir Goushala , K.K.Road, Through Divisional Manager, Divisional Office, Kachheri Chowk Raipur (CG).

MEMORANDUM OF MISC.APPEAL UNDER SECTION 173 OF MOTOR VEHICLES ACT 1988

HIGH COURT OF CHHATTISGARH: BILASPUR
(LOK ADALAT)

MISCELLANEOUS APPEAL No. 02 OF 2003

(19)

Appellant : Shridhar Lal Nebhani

Versus

Respondents: Sewa Ram Sahu and Another

(Arising out of Claim Case No. 26 of 2001)

3-2-2007

Shri Harishankar Patel, counsel for the appellant.

None for respondent No. 1.

Shri J.M. Gairola, Divisional Manager, the Oriental Insurance Company Limited with Shri C.D. Sharma, counsel for respondent No.2.

In terms of compromise, award is passed as below:-

1) In addition to compensation already awarded by the Tribunal, respondent No.2 shall pay Rs.65,000/- (Rupees Sixty Five Thousand Only) to the appellant.
2) For disbursement and deposit in FDR, the Tribunal may pass appropriate orders.
3) The amount, if any, kept in deposit with Bank shall be payable under the orders of Tribunal in accordance with law.
4) Appellant shall be entitled to receive interest on the amount so deposited, if any.
5) In view of the above, appeal against respondent No.1 stands dismissed.
6) Out of the above amount, Rs.650/- (Rupees Six Hundred Fifty Only) shall be paid to counsel for the appellant directly by respondent No.2 towards counsel fee.
7) If the amount awarded is not deposited within a period of one month, the Insurance Company shall be liable to pay interest at the rate of 9% per annum thereafter.
8) Copy of the award shall be given to the parties free of cost.

Sd/-
V.K.Shrivastava
Judge

Sd/-
Member – Lok Adalat
High Court of Chhattisgarh
Bilaspur

Gowri

Judge -Lok Adalat
High Court of Chhattisgarh
Bilaspur